

**Senate Select Committee on Prison Safety  
Monday, March 18, 2019 at 2:00 PM  
Room 643 of the Legislative Office Building**

**MINUTES**

The Senate Select Committee on Prison Safety met at 2:00 PM on March 18, 2019 in Room 643 of the Legislative Office Building. Members of the committee in attendance included Senators Joyce Waddell, Norman Sanderson, Tom McInnis, Floyd McKissick, and Harper Peterson.

Senator Bob Steinburg, Chairman, presided.

Staff members present were Ed Stiles (Committee Assistant), Susan Sitze and Shawn Middlebrooks from Legislative Analysis, and John Poteat from Fiscal Research.

Senator Steinburg called the meeting to order by welcoming the Senate Sergeant at Arms Linda Matthews, Hal Roach, and Chris Moore.

Senator Sanderson moved the minutes of the meeting of March 11, 2019 be approved as written. Senator Van Duyn seconded the motion. The minutes were approved with no objections.

Mr. John Poteat gave a brief history of the Department of Public Safety, the details of which can be found under the first handout on the committee website. A chart showing the current structure of the Department of Public Safety can be found as the second handout of the committee website.

Senator Waddell inquired about the separation between Juvenile Justice and Adult Corrections. Mr. Poteat had clarified that while Juvenile Justice inmates and Adult Corrections inmates are in separate facilities, they are under the same administrative umbrella for efficiencies and maintenance purposes.

Senator Steinburg then recognized Mr. Boyd Bennett, Director of Prisons from 2001-2009. Mr. Bennett's presentation can be found as the third handout on the committee website.

The floor was then open for questions.

Senator Van Duyn asked about closing smaller prisons and building larger ones, asking if it was a good idea. Mr. Bennett indicated that small prisons were harder to maintain and were more expensive based on the economies of scale. Senator Van Duyn then asked if the larger prisons created a discomfort between the difference in minimum, medium, and close custody. Mr. Bennett indicated that he was not aware of any problems as a result.

Senator Waddell asked if Mr. Bennett had an idea of the timeline that these changes would take place. Mr. Bennett stated that he did not know, and while the changes needed to be phased in, that would be a discussion that has to take place. Senator Waddell then asked about the population growth, in which Mr. Bennett stated that because of changes made by North Carolina and other states in which the prison population has declined over the last ten years. Senator Waddell asked

if there are statistics that support the assertion that the multiple levels of management are not working. Mr. Bennett stated that it works better to reduce the number of layers to achieve a better balance.

Senator McKissick asked how many employees were at the agencies had during Mr. Bennett's tenure. Mr. Bennett stated that he thought there were 18,000 employees. Senator McKissick asked what percentage of the 18,000 were vacant at the time. Mr. Bennett stated that the percentage fluctuated but the vacancy rate was not as bad as it is now. He suggested that the state get some idea of where the vacancies are the worst, either by prison or by region. Senator McKissick then asked what changes in functions did Mr. Bennett envision with fewer layers of bureaucracy. Mr. Bennett stated that the leaders of the departments that are smaller and flatter would focus on a singular functions, such as a department head for corrections dealing solely with prisons. Mr. Bennett also went on to state that in 46, Department of Corrections is its own department, based on the National Institute of Corrections. Senator McKissick asked if it might not be better to just have an independent individual who is not entrenched in the system.

Senator Steinburg stated that the interest is not to protect anyone's turf, but rather to see if what has happened in the last few years really worked. He also stated that he asked Mr. Bennett in to testify as to how things worked prior to 2011.

Senator Peterson talked about his experience as a business owner that employees need to be made to feel like they are making a difference. He then asked if Mr. Bennett has made his presentation to the current leaders of the Department of Public Safety. Senator Peterson also stated that he would like to hear the reaction of the department.

Senator Peterson stated also that he believed that visits to prisons by the committee would be an excellent idea.

Senator McInnis asked if Mr. Bennett foresaw a reason for the loss of life above all else, and pointed out that according to Mr. Bennett, that there was one period of no deaths and very little injury. Mr. Bennett stated that the current vacancy rate very high among the causes, and the shortages are causing burnout and wearing out existing staff. The second thing is the balance between custody, security, and rehabilitation being lost. Senator McInnis asked is there is anything that can be done immediately to solve certain issues, realizing that there is no silver bullet to solve all of the problems. Mr. Bennett stated that continuing to work with the current leadership and visit the prisons, and talk to personnel in the field. Senator McInnis asked if there had been questionnaires being handed out to prison employees to get their thoughts. Mr. Bennett stated that the questionnaires and surveys have been done with respect to job satisfaction.

Senator Steinburg reminded the committee that the purpose is to "peel the onion back" and not find a silver bullet in terms of finding complete solutions to the prison safety issues.

Senator Peterson asked Mr. Bennett what kept him in the profession. Mr. Bennett stated that he liked the people and enjoyed the work, and enjoyed the day-to-day challenges.

Senator McKissick stated that he would like to see a comparative analysis done as to salary levels, number of employees, and what the vacancy between Mr. Bennett's tenure and today. He also stated that he would like to see a comparative analysis on changes that were made in recent years versus whether or not goals have been met. Senator Steinburg stated that there are not too many states jumping to move to the North Carolina system.

Senator Sanderson asked what Mr. Bennett saw as the three biggest problems with personnel retention during Mr. Bennett's tenure. Mr. Bennett stated that the first was salary, the second adjusting to the prison management culture, and the third was dealing with disciplinary issues among the other prison employees.

Senator Steinburg then announced that the next meeting would take place on March 25, 2019 at 3:00 p.m.

The meeting adjourned at 2:58 p.m.

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Presiding Chair

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Edward Stiles, Committee Clerk